

REMARKS

Applicant respectfully requests entry of the amendments and remarks submitted herein. Claims 1, 10, 12, 21-23, and 25-27 have been amended. Claims 16-20, and 28-36 have been canceled. Therefore, claims 1-15 and 21-27 are currently pending. Reconsideration of the pending application is respectfully requested.

The 35 U.S.C. §102 Rejections

Claims 1, 7-10, 12, 14, 15, 21 and 22 stand rejected under 35 U.S.C. §102(b) as being anticipated by Kunig (U.S. Patent No. 4,622,980) and stand rejected under 35 U.S.C. §102(e) as being anticipated by Ekwall (U.S. Patent No. 6, 016, 443). These rejections are respectfully traversed.

Applicants have amended claims 1, 10, 12, 21, and 22 to recite “non-alternating fluctuations in T wave morphology for isochronic points between consecutive T waves.” This amendment clarifies what was intended by “beat-to-beat” in the original phrase “non-alternating beat-to-beat fluctuations in T wave morphology.” Support for this amendment can be found, for example, at page 5, lines 23-24, page 8, lines 9-10, and in Example 4, page 19 of the specification.

Neither the Kunig or the Ekwall reference teaches methods or computer-readable storage media that detects or identifies non-alternating fluctuations in T wave morphology for isochronic points between consecutive T waves. Therefore, the claims as amended are not anticipated by Kunig or Ekwall. Applicants respectfully request that the rejection of claims 1, 7-10, 12, 14, 15, 21 and 22 under 35 U.S.C. §102(b) and §102(e) be withdrawn.

The 35 U.S.C. §103 Rejections

Claims 2-6, 11 and 13 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Ekwall (or Kunig) in view of Ben-Haim (U.S. Patent No 6, 285, 898). Claims 23-27 also stand rejected under 35 U.S.C. §103(a) as being unpatentable over Ekwall (or Kunig). Applicants respectfully traverse these rejections.

Applicant : Michael J. Ackerman et al.
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As discussed above under the §102 rejections, Applicants have amended claims 1, 10, 12, 21-23, and 25-27 for clarification purposes. None of the references, either alone or in combination, teach or suggest detecting or identifying "non-alternating fluctuations in T wave morphology for isochronic points between consecutive T waves." Therefore, the pending claims are not obvious over the cited references, and Applicants respectfully request that the rejection of claims 2-6, 11, 13, and 23-27 under 35 U.S.C. §103(a) be withdrawn.

CONCLUSION

In light of the above amendments and remarks, Applicants submit that claims 1-15 and 21-27 are in condition for allowance, which action is respectfully requested. Enclosed is a \$55 check for a One-Month Petition for Extension of Time fee. Please apply any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

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M. Angela Parsons

M. Angela Parsons, Ph.D.
Reg. No. 44,282

Fish & Richardson P.C., P.A.
60 South Sixth Street, Suite 3300
Minneapolis, MN 55402
Telephone: (612) 335-5070
Facsimile: (612) 288-9696
60165763.doc